



OFFICE OF THE SECRETARY OF STATE

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Linda McCulloch
Secretary of State

To: Potential 2016 Presidential Candidate

From: Linda McCulloch, Secretary of State

Thank you for your inquiry about qualifying as a presidential candidate for the 2016 election cycle.

Please see below and attached information about filing for the office of President of the United States.

If you have any questions, please do not hesitate to contact the Secretary of State, Elections and Government Services at (406) 444-5346 or soselections@mt.gov or visit our website at sos.mt.gov.

You may also wish to contact the Federal Election Commission at (800) 424-9530 for campaign finance information.

Links: [Presidential Major Party Candidate Declaration, Oath and Petition](#)
[Presidential Independent or Minor Party Candidate Declaration, Oath and Petition](#)
[Presidential Write-In Declaration and Oath](#)
[Affidavit of Signature Gatherer](#)
[Presidential Electors Certificate of Nomination](#)
[Title 13 Election Laws](#)



Information for Presidential Candidates
Montana Secretary of State Linda McCulloch
Elections and Government Services
sos elections@mt.gov • www.sos.mt.gov

General Information for Presidential Candidates

- Presidential candidate filing forms are on the Montana Secretary of State's website at:
<http://sos.mt.gov/Elections/Filing/Information/index.asp#Presidential>.
- For a list of qualified major parties in Montana, please see
<http://sos.mt.gov/Elections/Parties>.
- For Montana election laws, see http://leg.mt.gov/bills/mca_toc/13.htm.
- See [Uniform Faithful Presidential Electors Act](#) for presidential elector requirements for major party, independent, and minor party presidential candidates.
- There is no filing fee in Montana to run for President of the United States.
- See the pages following for specific information about filing for president as a major party, independent, minor party, or write-in candidate.

Major Party Presidential Candidates

- Major party presidential candidates have two options to file:
 1. File a [presidential declaration for nomination](#) form if you are eligible to receive payments pursuant to the federal [Presidential Primary Matching Payment Account Act](#).
 - The first day for filing the presidential primary declaration of nomination form with the Secretary of State is **January 14, 2016**. The last day to file is **March 14, 2016**.
 - At the close of candidate filing on **March 14, 2016**, the Secretary of State will determine which candidates seeking ballot access, pursuant to being eligible for federal [Presidential Primary Matching Payment Account Act](#) payments, have qualified for the Montana ballot.
 - If you choose to seek ballot access by this method and are not certain whether you will maintain eligibility by the close of filing, you may wish to also or alternatively file by petition (*see below*).
 2. Complete the [major party declaration for nomination form and petition](#), and collect and submit 500 verified petition signatures in the state.
 - If you choose the option of filing by petition, there is no earliest date for signatures on presidential petitions to be turned in to the [county election administrator](#)(s).

However, as noted above, the first day for filing the presidential primary declaration of nomination form with the Secretary of State is **January 14, 2016**. The last day to file the form is **March 14, 2016**.
 - Signed petition sheets must be turned in to the county election administrator(s) by **March 7, 2016**, at least one week prior to the **March 14, 2016** deadline for candidates to file for the primary election.
- Presidential major party candidates (except write-in candidates) must file the [presidential electors form](#) with the Secretary of State. The form is filed by campaign officials after the national party convention.

Independent and Minor Party Presidential Candidates

- Independent and minor party presidential candidates must:
 1. Submit [presidential independent or minor party petition](#) signatures to [county election administrator](#)(s) by **August 17, 2016**.
 - Montana law requires presidential independent and minor party candidates to file at least 5,000 verified signatures in order to file for office. See [13-10-504](#), MCA.
 - There is no earliest date for signatures on presidential petitions to be turned in to county election administrators.
 2. File the [presidential independent or minor party filing form](#) with the Secretary of State by **August 24, 2016**. See [13-10-504](#), MCA.
 - While there is no earliest date to submit candidate petition signatures to county election administrators, the candidate filing form cannot be filed with the Secretary of State before **January 14, 2016**.
- Under [13-10-507](#), MCA, a person seeking office as an **independent** candidate may not be associated with a political party for 1 year prior to the submission of the candidate's nomination petition.
 1. For the purposes of the law, "associated with a political party" means having run for office in Montana as a partisan candidate or having held a public office in Montana or a precinct committee representative office in Montana with a political party designation.
- Under [13-10-602](#), MCA, a political party and its regularly nominated candidates, members, and officers have the sole and exclusive right to the use of the party name. A candidate for office may not use any word of the name of any other political party or organization other than that by which the candidate is nominated. An independent candidate may not use any word of the name of any existing political party or organization in his or her candidacy.
- Since there is no filing fee in Montana for president, individuals do not file as indigent presidential candidates.
- Presidential independent and minor party candidates must file the [presidential electors form](#) with the Secretary of State by **August 24, 2016**. However, for an independent or minor party presidential candidate, filing with a vice presidential candidate is optional.

Write-In Presidential Candidates

- Write-in presidential candidates must:
 1. File a [presidential write-in declaration of intent](#) with the Secretary of State:
 - For the **Primary** Election, no later than 5 p.m. on **April 29, 2016**.
 - The option to have a write-in vote counted on the primary ballot is only available for candidates of parties qualified for the primary in Montana (see list at <http://sos.mt.gov/Elections/Parties>) that have sufficient races to require that a primary ballot be printed for the party.
 - For the **General** Election, no later than 5 p.m. on **September 30, 2016**.
- There is nothing in Montana law that requires write-in candidates to file presidential electors. Similarly, for a write-in presidential candidate, filing with a vice presidential candidate is optional.
- Except as provided in [13-10-211](#)(8), MCA, in order for votes to be counted for a presidential write-in candidate, a write-in candidate must file a declaration of intent with the Secretary of State. A write-in vote may be counted only if the write-in vote identifies an individual by any of the designations filed by the candidate pursuant to law.
- Information on the use of write-in labels can be found online at: <http://sos.mt.gov/Elections/Write-ins>.